

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Chin on 9/29/10.

The application has been amended as follows:

Delete the abstract dated 12/24/03 and insert the new abstract.

### ABSTRACT

Provided is a hair cleansing composition containing (A) an amphipathic amide lipid, (B) an anionic surfactant and (C) an organic or inorganic acid, or a salt thereof, and having a pH of from 1 to 4.5 when diluted with water to 20 times the weight. The hair cleansing composition of the present invention has advantages including protecting hair from physical or chemical stimulation and preventing split ends or breakage of hair without impairing the cleansing ability and feeling upon use, imparting hair with a pleasant feeling to the touch and moisture retention properties such as natural smoothness, moist feeling, and suppleness which healthy hair inherently possesses, and has excellent stability.

### CLAIMS:

Claims 1 and 22, line 16 ~~delete~~ of a non-ionic surfactant"; ~~delete~~ "monoethnoamide" and insert---- monoethanolamide----.

The following is an examiner's statement of reasons for allowance: Pursuant to Interview held on 9/7/10 claims are limited to those specific compounds tested in the declaration dated 12/3/07; 11/21/08 and 5/19/10 and thus the claims are allowable over the combination of U. S. patents 5,683,685 and 6,685,953.

***Restriction between species is withdrawn dated 12/19/08.***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JYOTHSNA A. VENKAT whose telephone number is 571-272-0607. The examiner can normally be reached on Monday-Friday, 10:30-7:30:1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EYLER YVONNE (BONNIE) can be reached on 571-272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JYOTHSNA A VENKAT /  
Primary Examiner, Art Unit 1619